



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,627	01/04/2001	Freddie Geier	001580-718	2986

7590 01/13/2005

James W. Peterson, Esq.
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, VA 22313-1404

EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,627

Applicant(s)

GEIER ET AL.

Examiner

Vincent F. Boccio

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2616

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-9, 11-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanazawa et al. (US 6,580,870).

Regarding claim 1, Kanazawa discloses and meets the recited limitations associated with a method and corresponding apparatus the method comprising the steps of:

- in an operating system (Fig. 17, "Multi-media Desk Top PC & DVD drive 111), which checks a DVD for resource indications and indications of their associated address regions;
- while playing a DVD (Fig. 19 A, "WEB LINK BUTTON"), in the operating system, examining of requested DVD data for address associated with on of the resource indications (col. 16, "WEB Button is pressed"); and
- if the associated is found (col. 16, "judges whether an Internet Address (URL) is present", "no Internet Address, the playback is continued"), in the operating system, starting an application program

Art Unit: 2616

(col. 16, "DVD playback control program 116 will use the Internet address as an argument to start the WWW browser 117 or hand over the information as an internet address to be displayed on the WWW browser 177 in operation (step S106)") and providing the one of the resource indications to the application program (WWW browser), to obtain the resource.

Regarding claims 2 and 6, since a Browser program is used to pull WEB BUTTON content with a URL, which is from the DVD software,

- the starting of the browser and providing, is only triggered by the DVD software, which analyzes and determines that a URL is present associated with the WEB Button, the URL is handed off or reported to the Browser software (col. 11), the browser starts up and starts a search for the HTML corresponding to the URL, therefore Browser is a separate piece of software other than the DVD player software, that starts a search, for the HTML corresponding to the provided URL from the DVD.

The recited, DVD player software (Fig. 16, "DVD Playback Control Program"), therefore, as interpreted and understood, the DVD player software hands off the URL to the browser the browser program starts and locates the HTML contents and provides the HTML content associated with the URL to the user (Fig. 19 B).

The examiner's interpretation is in light of Fig. 1 of applicant's disclosure, showing DVD player software and WEB browser software, with other application programs to facilitating the method, as understood the URL is provided to the WEB browser software to obtain the WEB content, wherein the DVD software as shown is providing requests to the WEB browser it is interpreted that since Kanazawa shows a PC with DVD, the PCs operating system operates with the DVD software, wherein the browser is associated with the computers software operating system, which is separate from the DVD player software which operate together each having their own software to facilitate the URL to HTML content to the user, upon selecting the WEB button.

Regarding claims 3, 4 and 5, Kanazawa meets the limitations of wherein the steps are implemented with respect to a computer

Art Unit: 2616

(Fig. 17, "PC") and further meets the limitation of wherein the operating system includes an operating system extension (met by driver programs, col. 11, "driver groups"), which according to col. 10, lines 27-, "CPU 1 executing the programs for those processed. The programs have been stored in the DVD or another external storage medium and are stored into the RAM 2", therefore, the operating system extension, programs or drivers, which facilitate the method on the apparatus, can be provided on the DVD or another external storage medium (driver CD/disk) - vs.- provided on the DVD, as understood, therefore the drivers necessary can be provided on the DVD, to be loaded into the embodiment with a computer of Fig. 17, having a PC in association with a DVD player, with DVD with software or drivers to facilitate the method.

Regarding claims 7-8, Kanazawa further meets the limitation of wherein the indication of the address region is a DVD menu or video indication (Fig.19 A, "WEB/WEB Link Button", or a video button or a menu to select from), from which the address region is determined (upon selecting the Button the address first is determined to exist, thereafter locates the HTML content, thru the browser based on the address and the region is determined, Based on the user selecting the button, or "user input detection" of the region of the Button on the screen, which has a region/location, on the screen);

O wherein the resource indication (Button), is a file indication (or an indication of possible URL leading to the corresponding HTML content itself).

Regarding claim 9, Kanazawa is deemed to further meets the limitation of: wherein the operating system produced a buffer (buffered DVD data to memory 12 in Fig. 17), of addresses (addresses over time, therefore, multiple), requested from the DVD player hardware (Fig. 16, "HARDWARE BLOCK", having 111, 112, 113, 114, 100), wherein thru the software in memory (col. 10, lines 27-35, in a RAM 2 or embodiment of Fig. 17, "RAM"), wherein the operating system examines the buffered data from the DVD for addresses corresponding to a resource indication (Fig. 17, CPU & software, with respect to Fig. 16, "SOFTWARE Block", having 201, 202, 117, 116).

Claims 11-37 are analyzed and discussed with respect to the claims above.

Art Unit: 2616

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kanazawa et al. (US 6,580,870).

Regarding claim 10, Kanazawa is deemed to disclose all as recited, but, fails to disclose wherein the addresses are sectors, having data from the DVD stored in the buffer, over time, but, fails to disclose a sectorized format of the DVD.

The examiner takes official notice that the referring to a data structure of a disk having sectors is well known and obvious way to utilize sector-zed, data structure, therefore it would have been obvious to one skilled in the art at the time of the invention to modify Kanazawa by utilizing a sector-zed data structure, as is well known in the art to utilize sectors, as sections on a disk record medium, as is obvious and conventional to handle sections of a disk as sectors

Art Unit: 2616

Contact Fax Information

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communication
intended for entry)

or:

(703) 308-5359, (for informal or draft communications,
please label "PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal
Park II, 2121 Crystal Drive, Arlington, VA., Sixth
Floor (Receptionist).

Contact Information

Any inquiry concerning this communication or earlier
communications should be directed to the examiner of
record, Monday-Thursday, 8:00 AM to 5:00 PM Vincent F.
Boccio (703) 306-3022.

Any inquiry of a general nature or relating to the status
of this application should be directed to Customer Service
(703) 306-0377.

Primary Examiner, Boccio, Vincent
1/9/05


VINCENT BOCCIO
PRIMARY EXAMINER